

**FILED**

**United States Court of Appeals  
Tenth Circuit**

**UNITED STATES COURT OF APPEALS**

**FOR THE TENTH CIRCUIT**

**February 26, 2015**

**Elisabeth A. Shumaker  
Clerk of Court**

JAMES BELMONT; JOHN R. MIMICK;  
MARY T. MIMICK; DENNEY &  
DENNEY CAPITAL, LLLP, on behalf of  
themselves and all others similarly situated,

Petitioners,

v.

BP AMERICA PRODUCTION  
COMPANY,

Respondent.

No. 15-700  
(D.C. No. 1:13-CV-00063-NDF)

**ORDER**

Before **MATHESON, BACHARACH**, and **McHUGH**, Circuit Judges.

This matter is before the court on the Petition for Permission to Appeal From Class Certification Order filed by Plaintiffs - Petitioners James Belmont, John R. Mimick, Mary T. Mimick and Denney & Denney Capital, LLLP. Pursuant to Fed. R. Civ. P. 23(f), Petitioners seek permission to file an interlocutory appeal of the district court's January 8, 2015 order denying class certification for failure to meet the commonality requirement set forth in Fed. R. Civ. P. 23(a)(2). Defendant - Respondent filed an answer

in opposition to the petition. Upon careful consideration of the pleadings, the record, and the materials submitted by the parties, the Petition is denied.

Entered for the Court,

ELISABETH A. SHUMAKER, Clerk

A handwritten signature in black ink, appearing to read 'Chris Wolpert', with a long horizontal stroke extending to the right.

by: Chris Wolpert  
Chief Deputy Clerk